

IN RE: PETITION FOR ZONING VARIANCE
S/S Jarrettsville Pike, 200' N
of Sweet Air Road
(14311 Jarrettsville Pike)
10th Election District
6th Councilmanic District
Benjamin G. McCleary, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 91-374-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The petitioners herein request a variance to permit side yard landscaping strips of 5 feet each to the north and south in lieu of the minimum required 15-foot wide strip, a front yard setback of 15 feet in lieu of the required average setback (48' + 15' / 2 = 31.5'), and to allow a parking area not to be accessible to the adjoining non-residential uses and zones, all as more particularly described on Petitioner's Exhibit 1.

The Petitioner, by Howard L. Alderman, Jr., Esquire, appeared and testified. There were no Protestants.

Testimony indicated that the subject property, known as 14311 Jarrettsville Pike, consists of .447 acres zoned B.M.-C.R. and is currently unimproved. Petitioner is desirous of constructing a two-story office building as indicated on Petitioner's Exhibit 1 and due to the irregular shape of the property, cannot meet landscape setback requirements. Testimony and evidence presented indicated that Petitioner received CRG approval for the proposed project on March 28, 1991. Additionally, Petitioner has received written certification from the Department of Environmental Protection and Resource Management (DEPRM) by letter dated June 7, 1991 (Petitioner's Exhibit 4) that the proposed project meets the requirements of the C.R. district. The proffered testimony indicated that the proposed use at the subject location would not be detrimental to the health, safety

or general welfare of the community, and that the conditions delineated in Section 307.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) will be satisfied.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 19th day of July, 1991 that the Petition for Zoning Variance to permit side yard landscaping strips of 5 feet each to the north and south in lieu of the minimum required 15-foot wide strip, a

front yard setback of 15 feet in lieu of the required average setback (48' + 15' / 2 = 31.5'), and to allow a parking area not to be accessible to the adjoining non-residential uses and zones, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restriction:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

JRH:bjs

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

July 1, 1991

887-3353

Mr. Benjamin G. McCleary
5 Glen Lyon Court
Phoenix, Maryland 21030

RE: PETITION FOR ZONING VARIANCE
S/S Jarrettsville Pike, 200' N of the c/l of Sweet Air Road
(14311 Jarrettsville Pike)
10th Election District - 6th Councilmanic District
Benjamin G. McCleary - Petitioner
Case No. 91-374-A

Dear Mr. McCleary:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH:bjs

cc: People's Counsel

File

ORDER RECEIVED FOR FILING
Date 7/1/91
By JRH

ORDER RECEIVED FOR FILING
Date 7/1/91
By JRH

ORDER RECEIVED FOR FILING
Date 7/1/91
By JRH

AMENDED PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 91-374-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 259.3.C.3.a. to allow a 5 foot wide sideyard landscaping strip to the north and a 5 foot wide landscaping strip to the south in lieu of the minimum required 15 foot wide strip; Section 303.2 to permit a frontyard setback of 15 feet in lieu of the required average setback of (48' + 15' / 2 = 31.5 feet); of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

Due to the irregular shape of the property, strict compliance to the setback regulations would prohibit a practical and reasonable use of the property.

** and 259.3.C.4 to allow a parking area not to be accessible to the adjoining non-residential uses and zones.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.:

Legal Owner(s):

Benjamin George McCleary

(Type or Print Name)

Signature

(Type or Print Name)

Signature

Address

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

McKee & Associates, Inc., 527-1555

Name

5 Shawan Road, Hunt Valley, MD 21030

Address

ORDERED By The Zoning Commissioner of Baltimore County, this 18 day

of April 1991, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 22nd day of May 1991, at 9 o'clock

By A.L.M.

RECEIVED APR 18 1991

Item # 347

(over)

MCKEE & ASSOCIATES, INC.

Engineering - Surveying - Real Estate Development

SHAWAN PLACE, 5 SHAWAN ROAD

HUNT VALLEY, MARYLAND 21030

Telephone: (301) 527-1555

Facsimile: (301) 527-1563

March 5, 1991

DESCRIPTION OF
14311 JARRETTSVILLE PIKE
10TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

Beginning at a point on the east side of Jarrettsville Pike (40 feet wide), said point being 200 feet more or less from the centerline of Sweet Air Road; thence running along the east side of Jarrettsville Pike North 09° 37' 48" East 139.94 feet; thence running South 46° 42' 54" East 310.00 feet and North 73° 19' 54" West 260.00 feet to the point of beginning. Containing 19,365 square feet or 0.447 gross area of land as described in deed Liber 8302, folio 344.



CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 10th

Date of Posting: 7/2/91

Posted for: Variance

Petitioner: Benjamin G. McCleary

Location of property: 14311 Jarrettsville Pike, 200' N of Sweet Air Road

Location of Sign: Corner Jarrettsville Pike, opposite 10th Election District

on April 18, 1991

By J. Robert Haines

Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., 4/29, 1991

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 4/25, 1991.

THE JEFFERSONIAN,

S. Zake Orlow
Publisher

\$75.18

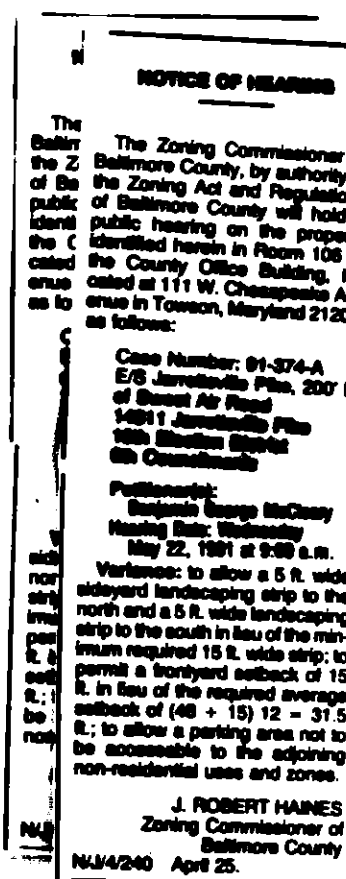
CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in the NORTHEAST TIMES BOOSTER and the NORTHEAST TIMES REPORTER, weekly newspapers published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 4/25, 1991.

NORTHEAST TIMES BOOSTER and the
NORTHEAST TIMES REPORTER

S. Zake Orlow
Publisher

\$75.18



Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Date

Signature

Signature

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Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

April 9, 1991

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Case Number: 91-374-A
E/S Jarrettsville Pike, 200' N of Sweet Air Road
14311 Jarrettsville Pike
10th Election District - 6th Councilmanic
Petitioner(s): Benjamin George McCleary
HEARING: WEDNESDAY, MAY 22, 1991 at 9:00 a.m.

Variance to allow a sideyard of 10 ft. in lieu of the minimum required setback of 15 ft.; to allow a 10 ft. wide sideyard landscaping strip to the north and a 4 ft. wide landscaping strip to the south in lieu of the minimum required 15 ft. wide strip; to allow no previous surfaces within the parking lot in lieu of the minimum required 7 percent, and to waive the required one tree per eight parking spaces requirement; to allow a parking area not accessible to the parking lots of adjacent non-residential uses and zones; to permit a frontyard setback of 15 ft. in lieu of the required average setback of $(48 + 15) 12 = 31.5$ ft.; to allow parking spaces designated for employee use only that do not have direct access to an aisle.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

cc: Benjamin George McCleary
McKee & Associates, Inc.

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

4-18-91

Amended

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Case Number: 91-374-A
E/S Jarrettsville Pike, 200' N of Sweet Air Road
14311 Jarrettsville Pike
10th Election District - 6th Councilmanic
Petitioner(s): Benjamin George McCleary
HEARING: WEDNESDAY, MAY 22, 1991 at 9:00 a.m.

Variance to allow a 5 ft. wide sideyard landscaping strip to the north and a 5 ft. wide landscaping strip to the south in lieu of the minimum required 15 ft. wide strip; to permit a frontyard setback of 15 ft. in lieu of the required average setback of $(48 + 15) 12 = 31.5$ ft.; to allow a parking area not to be accessible to the adjoining non-residential uses and zones.

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

May 8, 1991

Mr. Benjamin G. McCleary
5 Glen Lyon Court
Phoenix, MD 21131

RE: Item No. 347, Case No. 91-374-A
Petitioner: Benjamin G. McCleary
Petition for Zoning Variance

Dear Mr. McCleary:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,
James E. Dyer
James E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: McKee & Associates, Inc.
5 Shawan Road
Hunt Valley, MD 21030

SHA Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

April 25, 1991

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204
At: James Dyer

RE: Baltimore County
Zoning meeting of
March 26, 1991
McCleary Property
E/S Jarrettsville Pike
MD 146
200' north of Sweet Air Road
Item # 347 revised plan

Dear Mr. Haines:

We have reviewed the revised plan for this property which we received on April 23rd and find the plan acceptable showing all required revisions.

If you have any questions, please contact Larry Brocato (333-1350).

Very truly yours,
John Contestabile
John Contestabile, Chief
Engineering Access Permits
Division

L.Bies

cc: McKee and Associates Inc.
Mr. J. Ogle

My telephone number is 333-1350

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

SHA Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

March 26, 1991

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204
At: James Dyer

Re: Baltimore County
14311 Jarrettsville Pike
McCleary Property
Zoning meeting 3/26/91
E/S Jarrettsville Pike
MD 146
200' north of Sweet Air Road
Item # 347

Dear Mr. Haines:

We have reviewed the submittal for various zoning variances and offer the following:

We recommend the proposed entrance be relocated to a point opposite the existing shopping center entrance on the west side of Jarrettsville Pike.

The entire frontage of this property must be channelized with concrete curb and gutter at a distance of 24' from the centerline of Jarrettsville Pike.

The ultimate 80' right-of-way on Jarrettsville Pike must be revised to a proposed 80' right-of-way.

A hydraulic analysis must be completed and all work within the SHA right-of-way must be performed under an access permit issued by our office prior to issuance of any building permits.

We recommend this hearing not be scheduled until the proposed entrance is relocated or the proper justification is given to our office explaining why this entrance cannot be relocated.

My telephone number is 333-1350

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

Mr. J. Robert Haines
Page 2
March 26, 1991

If you have any questions, please contact Larry Brocato (333-1350).

Very truly yours,
John Contestabile
John Contestabile, Chief
Engineering Access Permits
Division

L.Bies

cc: McKee and Associates Inc.
Mr. J. Ogle

BUREAU OF TRAFFIC ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY, MARYLAND

DATE: April 10, 1991

TO: Mr. J. Robert Haines
Zoning Commissioner

FROM: Rahee J. Fumili

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: March 26, 1991

ITEM NUMBER: 347

Please see the C.R.G. comments for this site.

Rahee J. Fumili
Rahee J. Fumili
Traffic Engineer II

RJP/lvd

Baltimore County Government
Fire Department

700 East Joppa Road, Suite 900
Towson, MD 21204-5500

(410) 387-4500

MAY 1, 1991

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Case: #91-374-A
Item No.: 347 Zoning Agenda: APRIL 30, 1991

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy. CHAPTER 26

REVIEWER: *[Signature]* Noted and Approved: *[Signature]*
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/REK

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

March 20, 1991

TO: Zoning Commissioner
Office of Planning and Zoning

FROM: DIVISION OF GROUND WATER MANAGEMENT

SUBJECT: Zoning Item #347. Zoning Advisory Committee Meeting of March 26, 1991, Benjamin George McCleary, E/S Jarrettsville Pike, 200', N of Sweet Air Road (#14311 Jarrettsville Pike), D-10, Private Water and Sewer

COMMENTS ARE AS FOLLOWS:

In accordance with Section 13-117 of the Baltimore County Code, the water well yield test shall be valid until November 20, 1992.

Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.

SSF:rmk

received
3/25/91

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

May 16, 1991

Howard Alderman, Esq.
Levin & Gann
305 West Chesapeake Avenue, #113
Towson, Maryland 21204

Re: Case Number: 91-374-A
Petitioner: Benjamin George McCleary
Location: 5 Glen Lyon Court

Dear Mr. Alderman:

Please be advised that due to scheduling conflicts beyond our control, the above matter, previously set to be heard on Wednesday, May 22, 1991 cannot go forward on that date.

This case has been rescheduled for JUNE 25, 1991 at 11:00 a.m.

This office regrets any inconvenience caused by this change and thanks you for your cooperation and understanding.

Very truly yours,

[Signature]
G. G. Stephens
(301) 887-3391

cc: Benjamin George McCleary
McKee & Associates, Inc.

LAW OFFICES
LEVIN & GANN

BALTIMORE OFFICE
MERCANTILE BANK & TRUST BUILDING
2 HOPKINS PLAZA
9TH FLOOR
BALTIMORE, MARYLAND 21204
JO: 539-3750
TELECOPIER: 301-258-0700

CARROLL COUNTY OFFICE
305 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
301-321-0600
FAX: 301-258-0800

HELV LEVIN (800) 396-0600

April 25, 1991

HAND-DELIVERED

J. Robert Haines, Esquire
Zoning Commissioner for Baltimore County
111 West Chesapeake Avenue
Towson, Maryland 21204

RE: Entry of Appearance
Case No. 91-374-A
Petitioner: B.G. McCleary

Dear Mr. Haines:

Enclosed please find my Entry of Appearance on behalf of Mr. B.G. McCleary, Petitioner in the above-referenced case. Please have copies of all review comments received by your office sent to me in advance of the scheduled May 22, 1991 hearing.

Thank you for your assistance in this matter.

Very truly yours,

[Signature]
Howard L. Alderman, Jr.

HLA/dgh

Enclosure

cc w/encl: Mr. G. McCleary

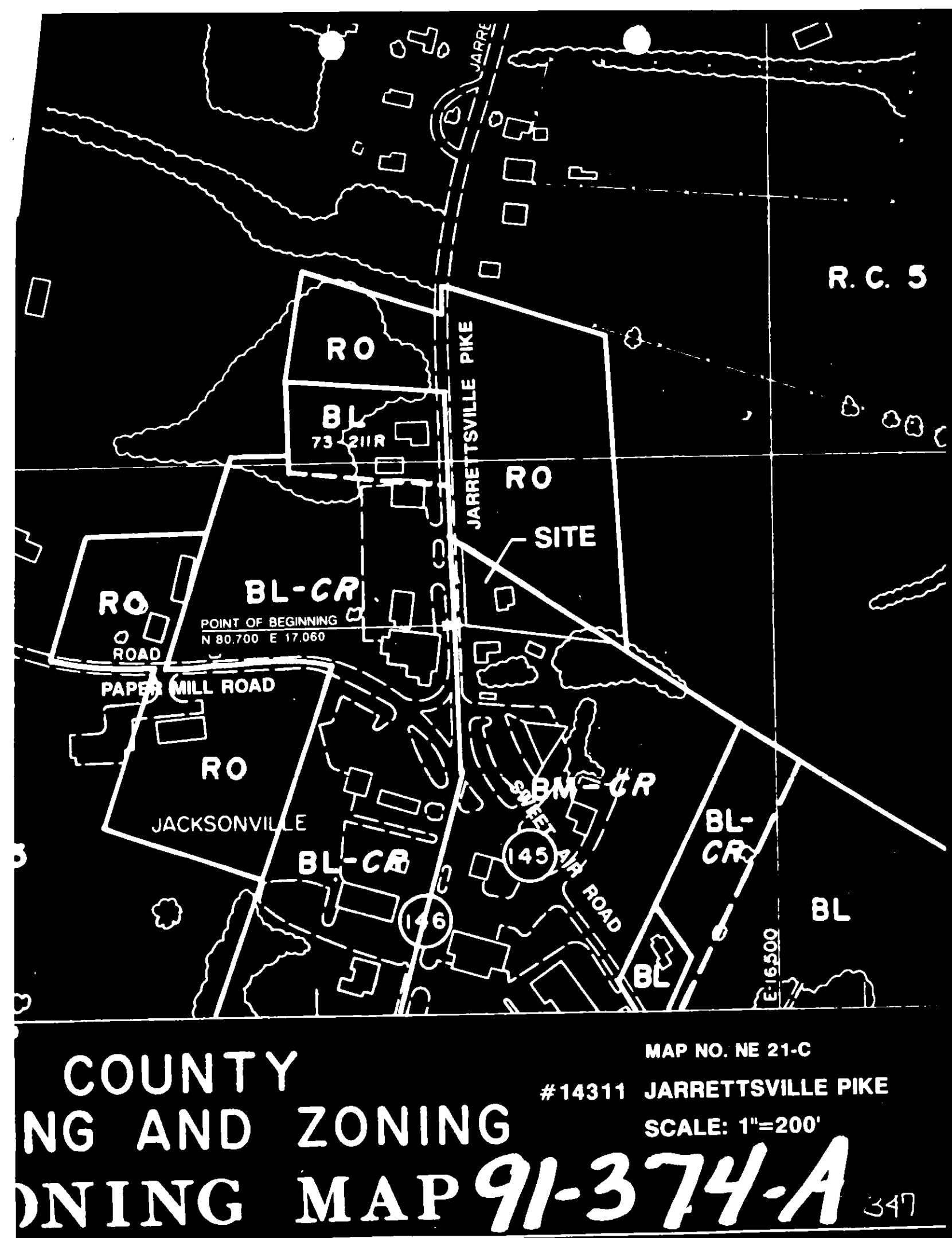
IN THE MATTER OF * BEFORE THE
PETITION FOR ZONING VARIANCE * ZONING COMMISSIONER
14311 Jarrettsville Pike * FOR
TENTH ELECTION DISTRICT * BALTIMORE COUNTY
SIXTH COUNCILMANIC DISTRICT *
BENJAMIN GEORGE MCCLEARY, * CASE NO.: 91-374-A
Petitioner

ENTRY OF APPEARANCE

Please enter the appearance of Howard L. Alderman, Jr. and Levin & Gann, P.A. on behalf of the Petitioner in the above captioned matter.

Petitioner, through counsel, hereby requests that copies of all Zoning Advisory Comments be sent to below named counsel.

[Signature]
Howard L. Alderman, Jr.
LEVIN & GANN, P.A.
Suite 113
305 West Chesapeake Avenue
Towson, Maryland 21204
(301) 321-0600
Attorneys for Petitioner



Baltimore County Government
Department of Environmental Protection
and Resource Management

401 Bosley Avenue
Towson, MD 21204

733

COPY

June 7, 1991

Mr. Geoffrey C. Schultz, Vice President
McKee & Associates, Inc.
Shawan Place
5 Shawan Road
Hunt Valley, Maryland 21030

Re: 14311 Jarrettsville Pike

Dear Mr. Schultz:

A request was made by you to the Division of Ground Water Management to prepare a brief letter stating that the above mentioned project conforms to the CR District requirement of not overburdening the proposed sewage disposal system, water supply or creating an environmental nuisance to neighboring properties. Our approval of the CRG plan attests to the fact that the land can support this development.

If further documentation is required, please call Mr. J. Lawrence Pilson, Land Development Section, at 887-2762.

Sincerely,
James Dieter
James Dieter
Director

JLP:pj
cc: Donald C. Outen
Robert J. Aschenbrenner
JARR/JLP/TXTPD

**PETITIONER'S
EXHIBIT 4**

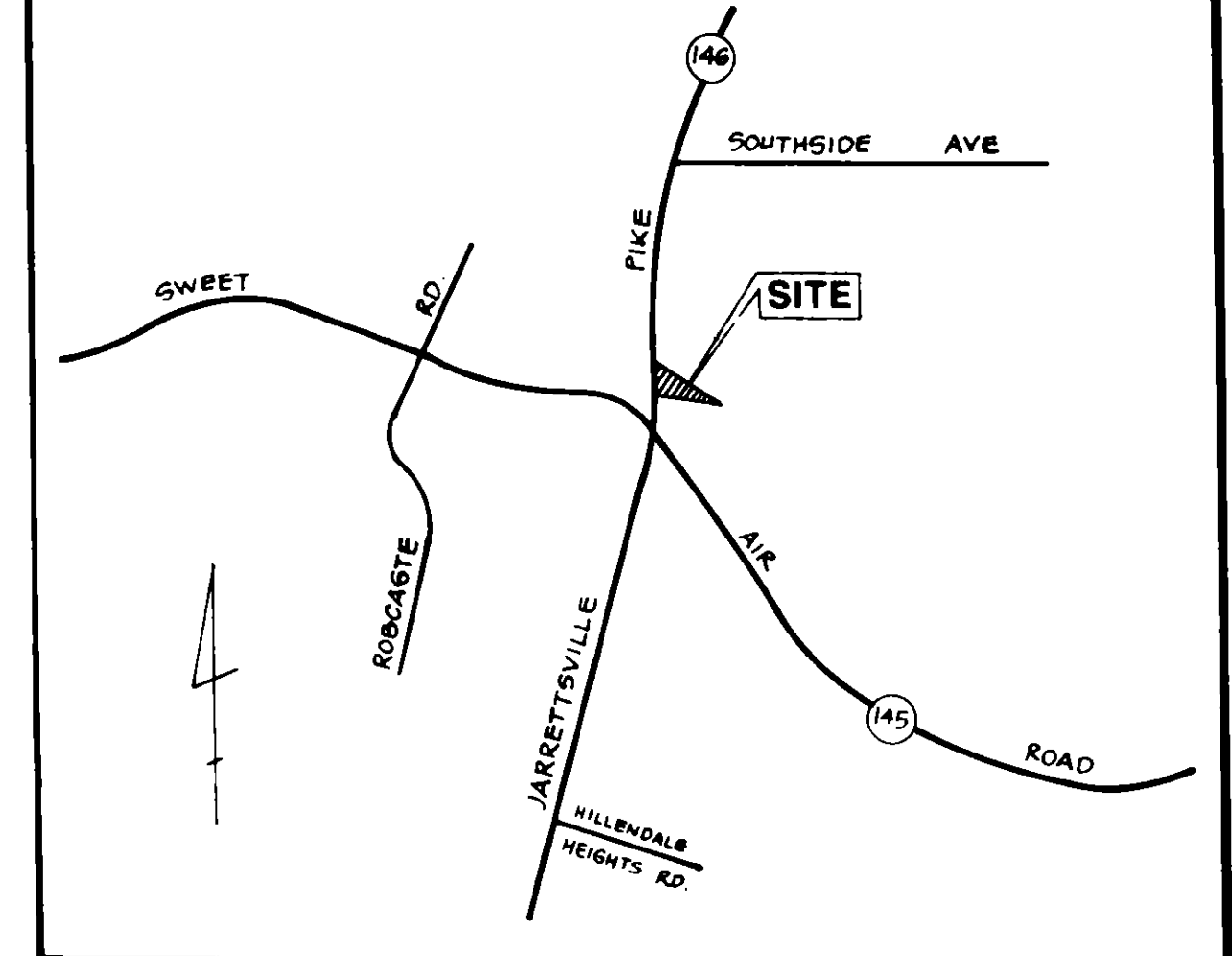
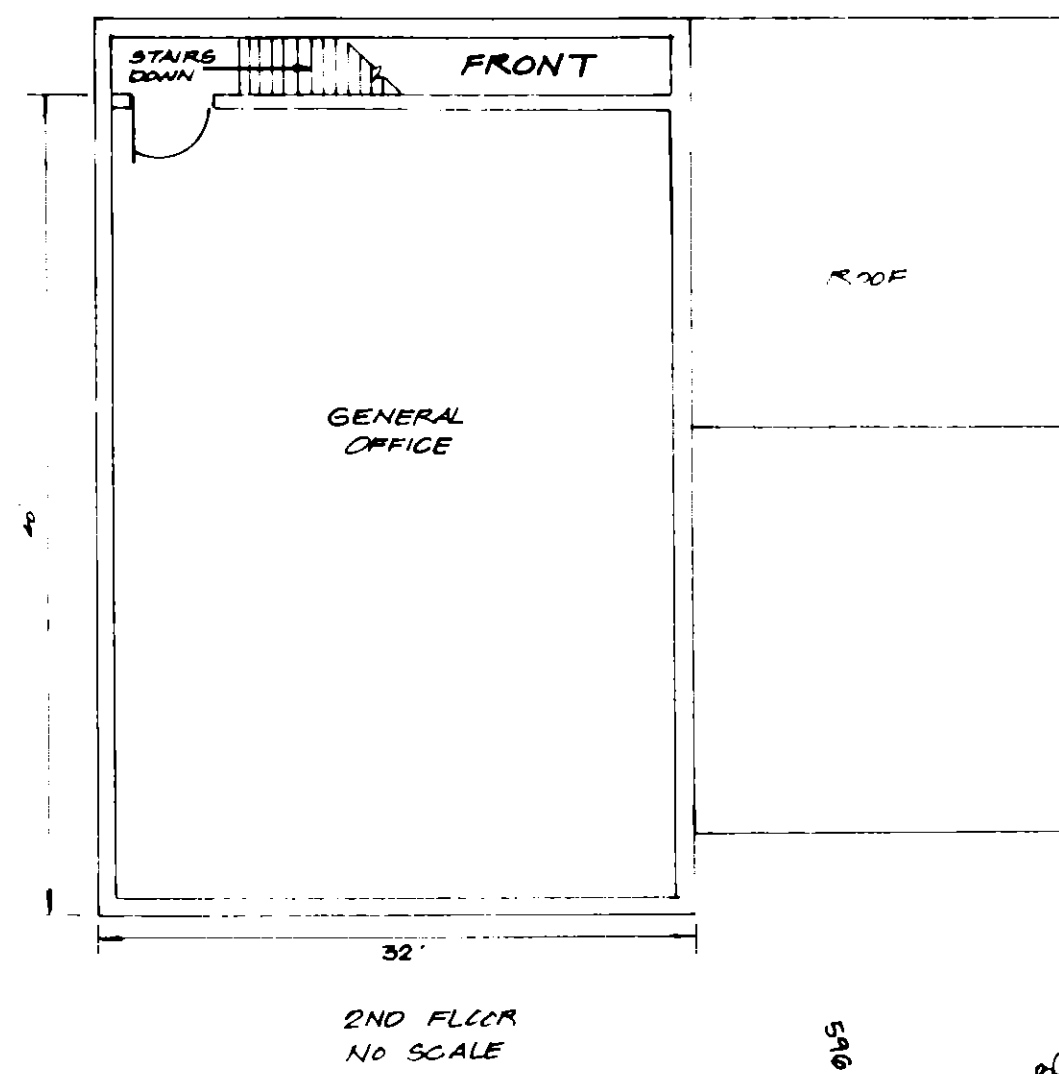
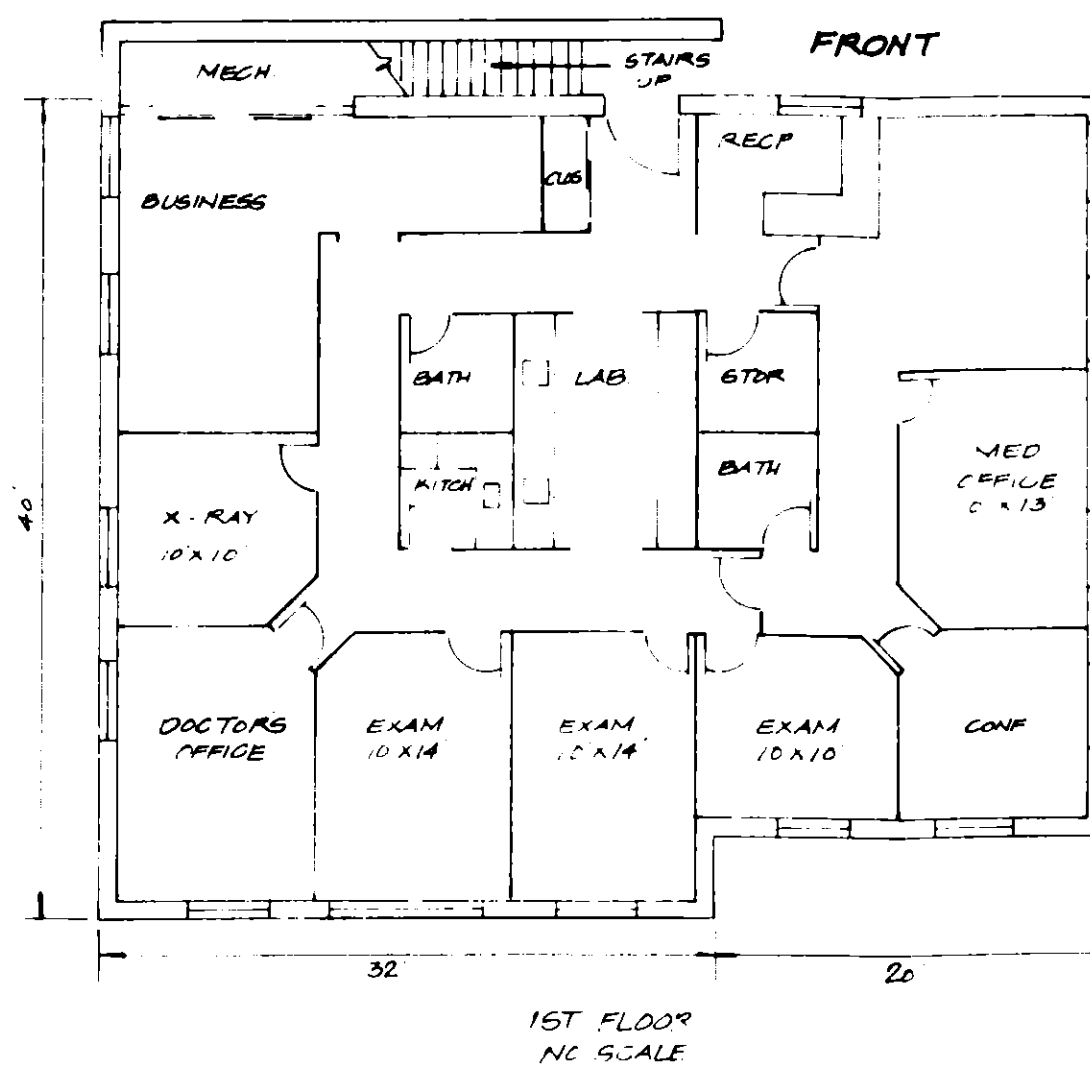
91-374A

GENERAL NOTES

- EXISTING USE OF SITE - RESIDENTIAL
- PROPOSED USE OF SITE - MEDICAL AND GENERAL OFFICE
- THE EXISTING DWELLING IS TO BE RAZED AND DEMOLITION SURVEY WILL BE PERFORMED PRIOR TO DEMOLITION
- THERE ARE NO HISTORIC OR LONG-TERM WETLANDS, CRITICAL AREAS, ARCHEOLOGICAL SITES, ENDANGERED SPECIES HABITATS, OR HAZARDOUS MATERIALS ON SITE
- COUNCILMANIC DISTRICT - G
- CENSUS TRACT - 4102
- WATERSHED - SAW MILL BRANCH
- SUBWERSHED - B1
- SOIL TYPE - ENTIRE SITE IS GLENELG (6CB2)
- LIMITATIONS - SEWAGE DISPOSAL - SLIGHT BUILDING - SLIGHT PARKING LOTS - MODERATE SLOPE GARDENS - MODERATE SLOPE
- ALL EXISTING VEGETATION IS TO BE REMOVED
- SITE IS SERVED BY PRIVATE WELL AND SEPTIC
- AVERAGE DAILY TRIPS 3280 G.P. * 12.5/1000 * 40 ADTS
- REUSE COLLECTION IS TO BE PROVIDED DURING OFF-PEAK HOURS
- ALL SIGNS WILL BE IN ACCORDANCE WITH SECTIONS 259.3 C 7 & THRU 9
- THERE ARE NO ON-SITE UNDERGROUND STORAGE TANKS
- THERE WILL BE NO ON-SITE OUTSIDE STORAGE

LANDSCAPING DATA

- COMMERCIAL DEVELOPMENTS PLANTING REQUIREMENTS
- 62 LF OF INTERIOR ROAD * 20 * 3 P.U.S (1.5 MAJOR)
 - 130 LF OF PARKING LOT ADJACENT ROAD * 40 * 3 P.U.S (3 MAJOR)
 - 240 LF OF PARKING LOT ADJACENT TO RIGHT-OF-WAY OR STRUCTURES * 15 * 12 P.U.S (4 MAJOR, 36 SHRUBS)
 - 286 LF OF ADJACENT RESIDENTIAL * 15 * 19 P.U.S (7 MAJOR, 8 SHRUBS)
 - 20 LF OF DUMPSTER * 15 * 1 P.U. (10 SHRUBS)
 - 106 LF OF STORM WATER MANAGEMENT AREA * 15 * 7 P.U.S (36 SHRUBS)
- TOTAL PLANTING UNITS REQUIRED = 49
TOTAL PLANTING UNITS PROVIDED = 49
MIX - 17 MAJOR, 162 EVERGREEN SHRUBS



VICINITY MAP
SCALE 1"=1000'

SITE TABULATIONS

- EXISTING ZONING - BM-CR
- GROSS AREA 50' OF R.W. - 19,454 S.F. * 0.447 AC. ±
- NET AREA - 15,362 S.F. * 0.352 AC. ±
- PROPOSED BUILDING SIZE - 1ST FLOOR 2000 S.F. 2ND FLOOR 2800 S.F. TOTAL = 4800 S.F.
- PROPOSED USES - 1ST FLOOR MEDICAL OFFICE 2ND FLOOR GENERAL OFFICE
- MAXIMUM FLOOR AREA RATIO PERMITTED - 0.50
- FLOOR AREA RATIO PROPOSED - 0.31
- PARKING REQUIRED - 1ST FLOOR 2000 S.F. * 4.6/1000 = 9.09 2ND FLOOR 2800 S.F. * 4.6/1000 = 12.88 TOTAL = 21.97 OR 22 SPACES
- PARKING PROPOSED - 14 SPACES

S.W.M. DATA

	2 YR	10 YR	100 YR
G. EXISTING	0.33	1.00	1.79
BYPASS	0.11	0.47	0.82
PROP INFLOW	0.84	1.65	2.47
ALLOWABLE RELEASE	0.13	0.52	0.74
PROP OUTFLOW	0.16	0.55	0.91

ZONING REQUESTS

- Requesting a variance to Section 259.3.C.2.b. to allow a sideyard of 10 feet in lieu of the minimum required setback of 15 feet.
- Requesting a variance to Section 259.3.C.3.a. to allow a 10 foot wide sideyard landscaping strip to the north and a 4 foot wide landscaping strip to the south in lieu of the minimum required 15 foot wide strip.
- Requesting a variance to Section 259.3.C.3.b. to allow no previous surfaces within the parking lot in lieu of the minimum required 7 percent, and to waive the required one tree per eight parking spaces requirement.
- Requesting a variance to Section 259.3.C.4 to allow a parking area not accessible to the parking lot of adjacent non-residential uses and zones.
- Requesting a variance to Section 303.2 to permit a frontyard setback of 15 feet in lieu of the required average setback of (48 + 15) / 2 = 31.5 feet.
- Requesting a variance to Section 409.4.B.2 to allow parking spaces designated for employee use only that do not have direct access to an alley.

LEGEND

EXISTING CONTOURS	---
PROPOSED CONTOURS	---
PROPERTY LINE	---
EXISTING CURB	---
PROPOSED CURB	---
ZONING LINE	---
PROPOSED PAVING	---
PROPOSED CONCRETE	---
EMPLOYEE PARKING SPACE	(E)
MAJOR DECIDUOUS TREE	---
EVERGREEN SHRUBS	---
SEWAGE DISPOSAL AREA	---

McKEE & ASSOCIATES, INC.

Engineering - Surveying - Real Estate Development
SHAWAN PLACE 5 SHAWAN ROAD HUNT VALLEY, MARYLAND 21030
(301) 527 1555

Computed by G.C.S.
Drawn by G.C.S., J.B.K.
Checked by G.C.S.
Job Number 90-91

James W. McKee Date
(Maryland Registered No. 9012)

DATE	REVISION
2/11/91	AS PER PUBLIC SERVICES INITIAL REVIEW
3/19/91	AS PER ZONING REVIEW

91-374-A

PLAN TO ACCOMPANY
ZONING HEARING

14311 JARRETTSVILLE PIKE

10 TH. ELECTION DISTRICT

BALTIMORE COUNTY, MD.

SCALE: 1"=20'

DECEMBER 17, 1990

APPLICANTS & DEVELOPERS

BENJAMIN GEORGE MCCLEARY & DR. MARK LAMOS
113 OLD PADONIA ROAD
SUITE 200
COCKEYSVILLE, MD. 21030
(301) 561-9900

OWNER

BENJAMIN GEORGE MCCLEARY
5 GLEN LYON CT.
PHOENIX, MD. 21131
DEED: 8302/344
ACCOUNT No. 10-12-040050

PUBLIC SERVICES CRG No. 91028

PLANNING No.

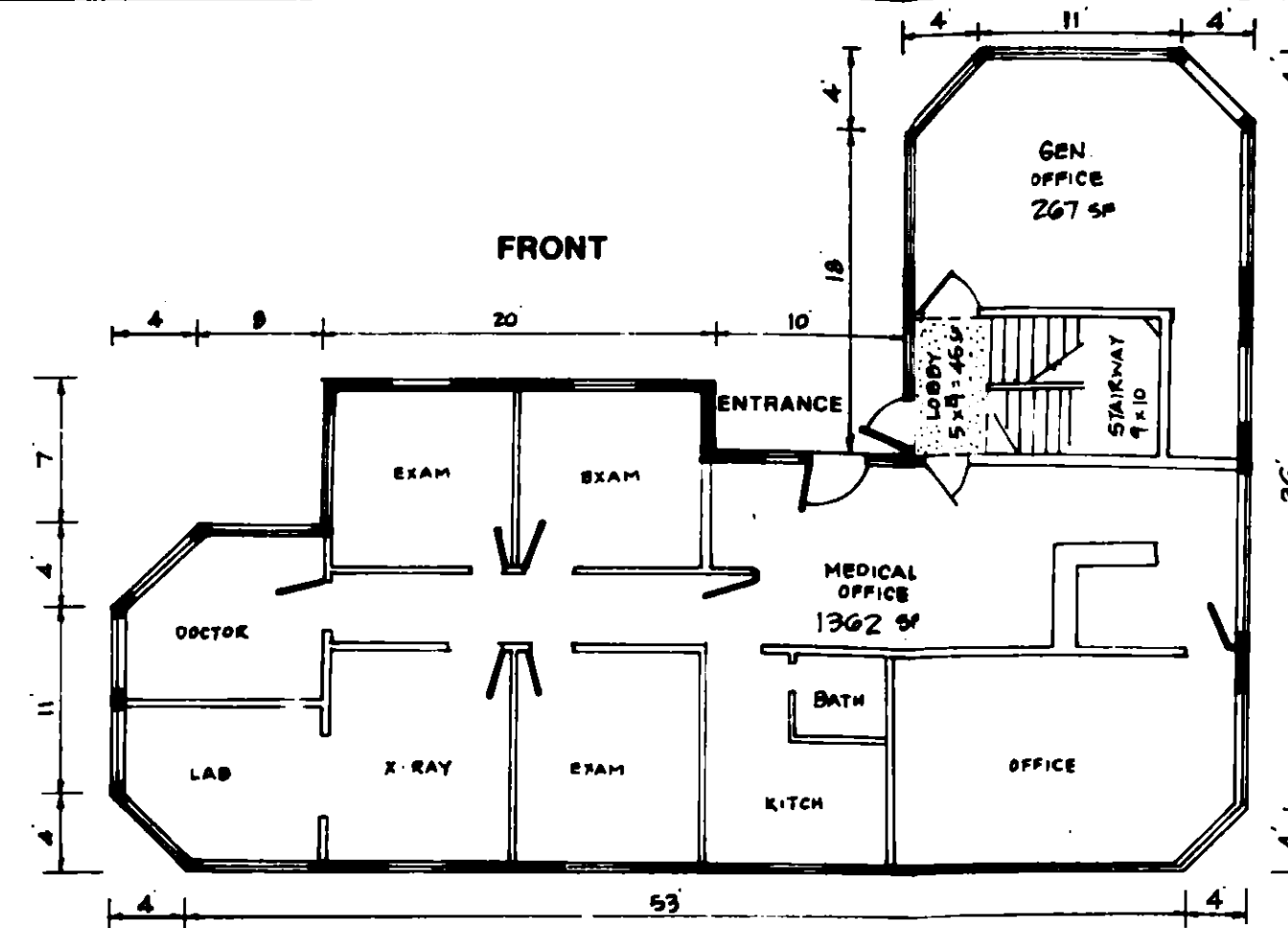
347

GENERAL NOTES

- EXISTING USE OF SITE: RESIDENTIAL
- PROPOSED USE OF SITE: MEDICAL AND GENERAL OFFICE
- THE EXISTING DWELLINGS ARE TO BE RAISED, AN ABSESSION SURVEY WILL BE PERFORMED PRIOR TO DEMOLITION.
- THERE ARE NO HISTORIC BUILDINGS, WETLANDS, CRITICAL AREAS, ARCHAEOLOGICAL SITES, ENDANGERED SPECIES HABITATS, OR HAZARDOUS MATERIALS ON SITE.
- COUNCILMANIC DISTRICT: G
- CENSUS TRACT: 4102
- WATERSHED: SAW MILL BRANCH
- SUBWATERSHED: B1
- SOIL TYPE: ENTIRE SITE IS GLENDEL (GcB1)
- LIMITATIONS: SEWAGE DISPOSAL: SLIGHT BUILDINGS: SLIGHT PARKING LOTS: MODERATE SLOPE GARDENS: MODERATE SLOPE
- ALL EXISTING VEGETATION IS TO BE REMOVED.
- SITE IS SERVED BY PRIVATE WELL AND SEPTIC. A WELL ABANDONMENT REPORT IS TO BE RECEIVED.
- REFUSE COLLECTION IS TO BE PROVIDED DURING OFF-PEAK HOURS.
- ALL SIGNS WILL BE IN ACCORDANCE WITH SECTIONS 259.3.C.7.1 THRU 4
- THERE ARE NO ON-SITE UNDERGROUND STORAGE TANKS.
- THERE WILL BE NO ON-SITE OUTSIDE STORAGE.
- ADT CALCS: MEDICAL OFFICE 1390/1000 X 0.4 = 48 GENERAL OFFICE 1640/1000 X 0.23 = 20 TOTAL = 68
- A STONE INFILTRATION TRENCH WILL BE DESIGNED AND IMPLEMENTED UNDER THE DIRECTION OF THE WATER AND SEWER DIVISION OF D.E.P.R.M. TO REPLENISH THE WELL.
- IF REQUIRED, ACCESS WILL BE PROVIDED TO THE GRAHAM PROPERTY LOCATED TO THE NORTH OF THE SITE.

LANDSCAPING DATA

- COMMERCIAL DEVELOPMENTS PLANTING REQUIREMENTS
- 79 LF OF INTERIOR ROAD = 20 = 5 P.U.S (15 MAJOR)
 - 130 LF OF PARKING LOT ADJACENT ROAD = 40 = 3 P.U.S (3 MAJOR)
 - 240 LF OF PARKING LOT ADJACENT TO RIGHT-OF-WAY OR STRUCTURES = 15 = 10 P.U.S (4 MAJOR, 36 SHRUBS)
 - 286 LF OF ADJACENT RESIDENTIAL = 15 = 19 P.U.S (7 MAJOR, 81 SHRUBS)
 - 20 LF OF DUMPSTER = 15 = 1 P.U. (10 SHRUBS)
 - 92 LF OF STORM WATER MANAGEMENT AREA = 15 = 6 P.U.S (30 SHRUBS)
 - 10 PARKING SPACES = 8 = 2 P.U.S (2 MAJOR)
- TOTAL PLANTING UNITS REQUIRED = 52
MIX - 21 MAJOR, 155 EVERGREEN SHRUBS

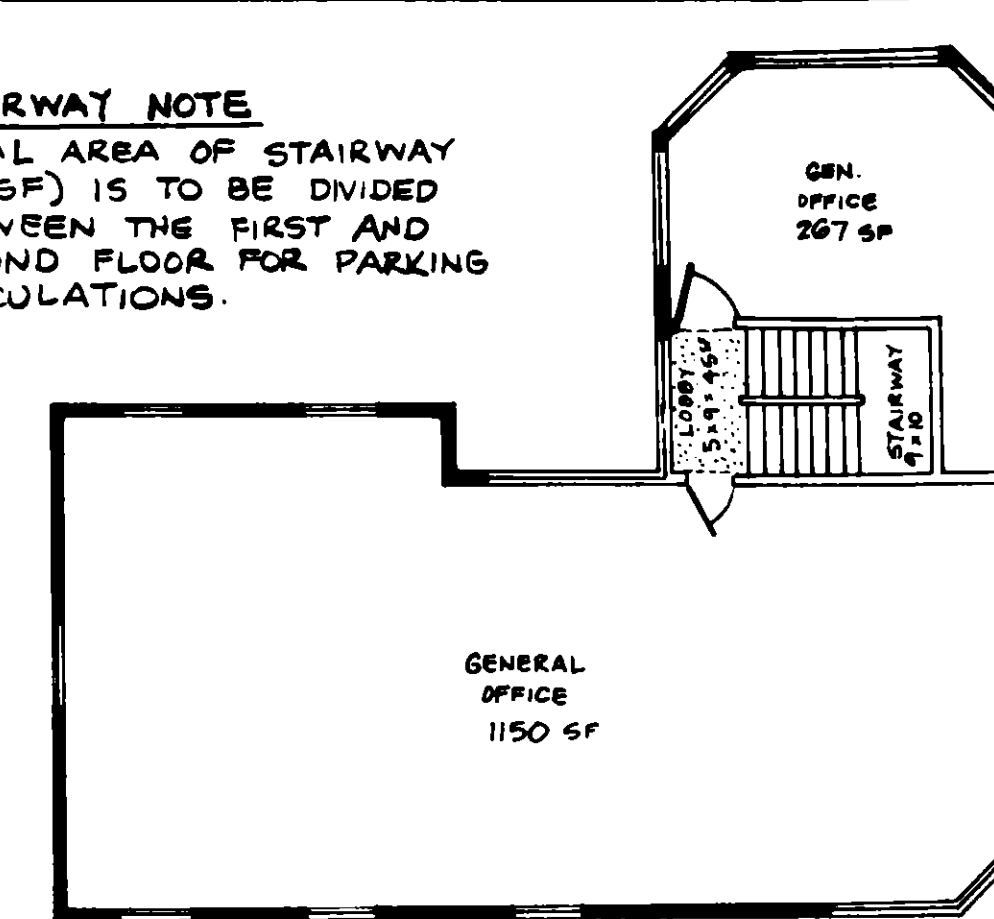


FIRST FLOOR

SCALE: 1"=10'

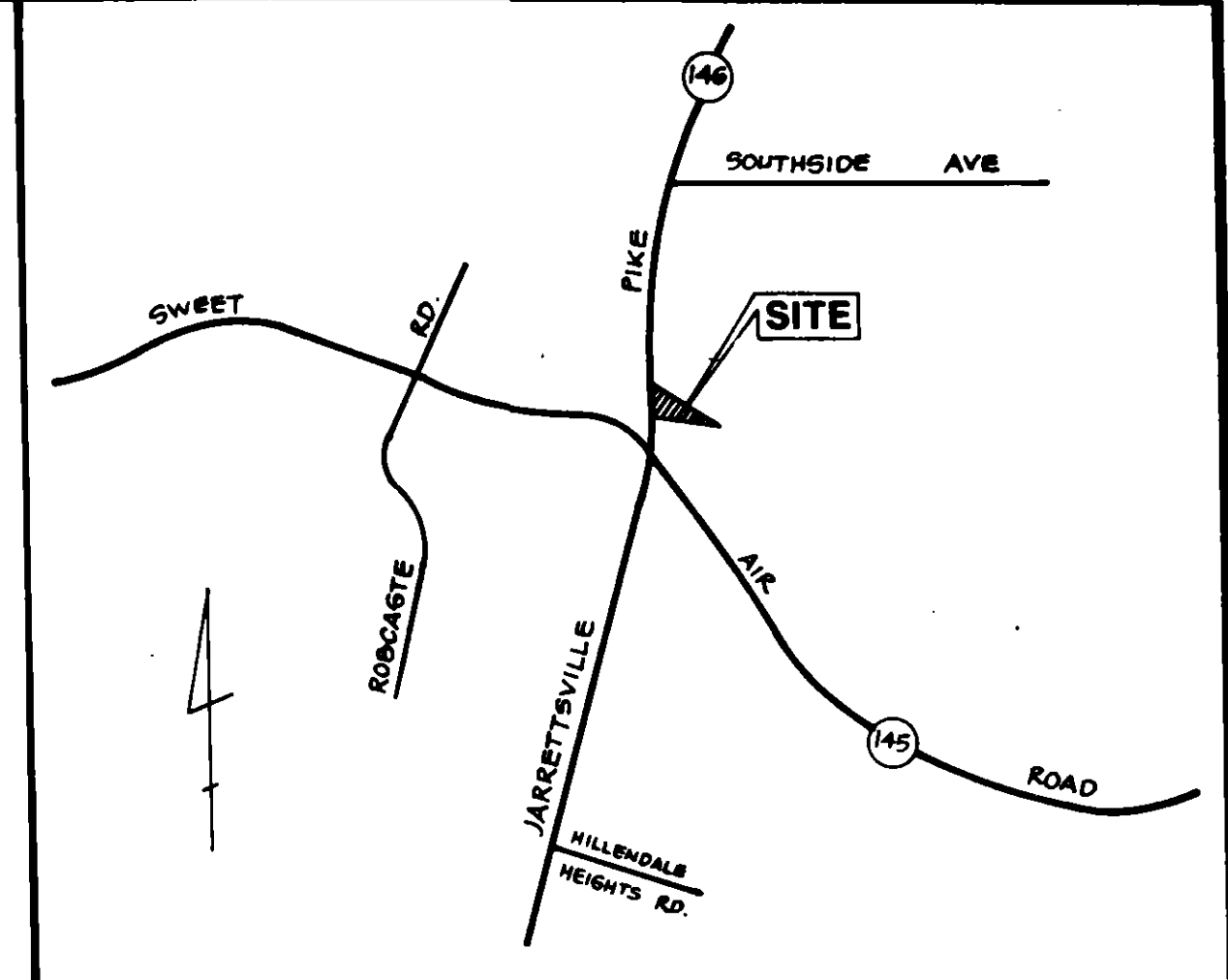
*STAIRWAY NOTE

TOTAL AREA OF STAIRWAY (90 SF) IS TO BE DIVIDED BETWEEN THE FIRST AND SECOND FLOOR FOR PARKING CALCULATIONS.



SECOND FLOOR

SCALE: 1"=10'



VICINITY MAP
SCALE: 1"=1000'

ZONING REQUESTS

- REQUESTING A VARIANCE TO SECTION 259.3.C.3.1 TO ALLOW A 5 FOOT WIDE LANDSCAPING STRIP TO THE NORTH IN LIEU OF THE MINIMUM REQUIRED 16 FOOT AND ALSO 5 FOOT WIDE TO THE SOUTH IN THE AREA OF THE SWM FACILITY & PARKING.
- REQUESTING A VARIANCE TO SECTION 808.9 TO PERMIT A FRONTYARD SETBACK OF 15 FEET IN LIEU OF THE REQUIRED AVERAGE SETBACK OF (40+25) = 2 = 32.5 FEET
- REQUESTING A VARIANCE TO SECTION 259.3.C.4 TO ALLOW A PARKING AREA NOT ACCESSIBLE TO THE PARKING LOTS OF ADJACENT NON-RESIDENTIAL USES AND ZONES.

ADDITIONAL ZONING INFO

- Area of parking lot = 4888 S.F.
Previous area required (4888 x 0.7) = 280 S.F.
Previous area provided = 528 S.F.
- Prior to the zoning hearing, it will be established that the environmental holding capacity (259.3.C.5) has been met

LEGEND

EXISTING CONTOURS	510
PROPOSED CONTOURS	600
PROPERTY LINE	
EXISTING CURB	
PROPOSED CURB	
ZONING LINE	
PROPOSED PAVING	
PROPOSED CONCRETE	
EMPLOYEE PARKING SPACE	(E)
MAJOR DECIDUOUS TREE	
EVERGREEN SHRUBS	OOOOOO
SEWAGE DISPOSAL AREA	
LANDSCAPING STRIPS	

CRG REVISIONS

- CHANGED ULTIMATE 80' RW TO PROPOSED
- ADDED PERC TESTS
- ADDED NOTE NO. 18

McKEE & ASSOCIATES, INC.

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SHAWAN PLACE, 5 SHAWAN ROAD HUNT VALLEY, MARYLAND 21030
(301) 527-1555

Computed by: G.C.S.
Drawn by: G.C.S., J.B.K.
Checked by: G.C.S.
Job Number: 90-91

James W. McKee Date: 2/25/91
(Maryland Registered No. 9012)

DATE	REVISION
2/14/91	AS PER PUBLIC SERVICES INITIAL REVIEW
2/18/91	AS PER ZONING REVIEW
2/25/91	AS PER FIRE-CRG MEETING
3/26/91	ADDED SHEET 2 - ADDED SWM INFO
4/14/91	AS PER CRG MEETING (SEE LIST)
4/18/91	AS PER ZONING COMMENTS

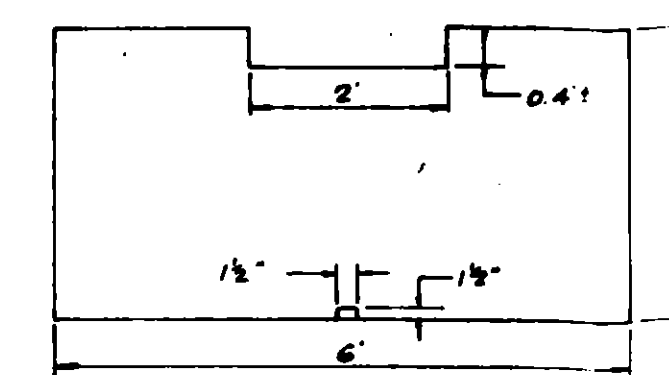
PRE-CRG REVISIONS
TRAFFIC AND SWM
Revised entrance, delineated proposed curb at Jarrettsville Pike.
Revised ADT calculation.

DEPRN
Revised SWM basin.
Added well replenishment note.

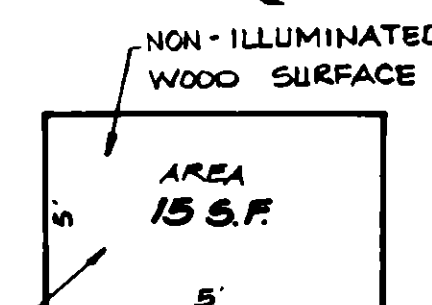
ZONING
Revised variance requests.

PLANNING
Revised building and entire site layout to comply with Section 22-184-C1.

OWNER
BENJAMIN GEORGE McCLEARY
5 GLEN LYON CT.
PHOENIX, MD. 21131
DEED: 8302/344
ACCOUNT No. 10-12-040050



SWM OUTLET STRUCTURE
SCALE: 1"=2'



SIGN DETAIL
NO SCALE

PARKING TABULATION

REQUIRED PARKING	
1ST FLOOR:	
MEDICAL OFFICE 1302 S.F./1000 X 0.4 = 6.12	
GENERAL OFFICE 2676 S.F./1000 X 0.23 = 0.60	
STAIRWAY 90 S.F./1000 X 0.15 = 0.15	
LOBBY 45 S.F./1000 X 0.15 = 0.15	
TOTAL = 7.02	
2ND FLOOR:	
GENERAL OFFICE 1417/1000 X 0.23 = 0.32	
STAIRWAY 45 S.F./1000 X 0.15 = 0.15	
LOBBY 45 S.F./1000 X 0.15 = 0.15	
TOTAL = 0.62	
TOTAL REQUIRED SPACES = 11.94 = 12	

S.W.M. DATA

Q	2 YR	10 YR	100 YR
EXISTING	0.35	1.00	1.74
STORMS	0.20	0.50	0.84
PROP. INFILTR	0.00	1.07	2.02
ALLOWABLE RELEASE	0.15	0.50	0.95

GREEN SPACE TABULATION

1. NET AREA OF SITE	10,868 S.F.
2. VEGETATED AREA	7,000 S.F.
3. PERCENT GREEN SPACE	64.4%

SITE TABULATIONS

1. EXISTING ZONING	BM-CR
2. GROSS AREA (80' OF RW)	14,454 S.F. = 0.447 AC. ±
3. NET AREA	10,365 S.F. = 0.238 AC. ±
4. PROPOSED BUILDING SIZE	1ST FLOOR 1,764 S.F. 2ND FLOOR 1,532 S.F. TOTAL = 3,296 S.F.
5. PROPOSED USES	1ST FLOOR MEDICAL + GENERAL OFFICE 2ND FLOOR GENERAL OFFICE
6. MAXIMUM FLOOR AREA RATIO PERMITTED	0.20
7. FLOOR AREA RATIO PROPOSED	3216/14,454 = 0.22
8. PARKING REQUIRED	12 SPACES (SEE TABULATION)
9. PARKING PROVIDED	12 SPACES
10. ALL PARKING WILL BE PERMANENTLY STRIPED AND PAVED WITH A DURABLE AND DUST-LESS SURFACE.	

91-374-A
REVISED PLANS
PETITIONER'S EXHIBIT 1
RECEIVED APR 18 1991

PLAT TO ACCOMPANY

PETITION FOR ZONING VARIANCES

14311 JARRETTVILLE PIKE

10 TH. ELECTION DISTRICT

BALTIMORE COUNTY, MD.

SCALE: 1"=20'

DECEMBER 17, 1990

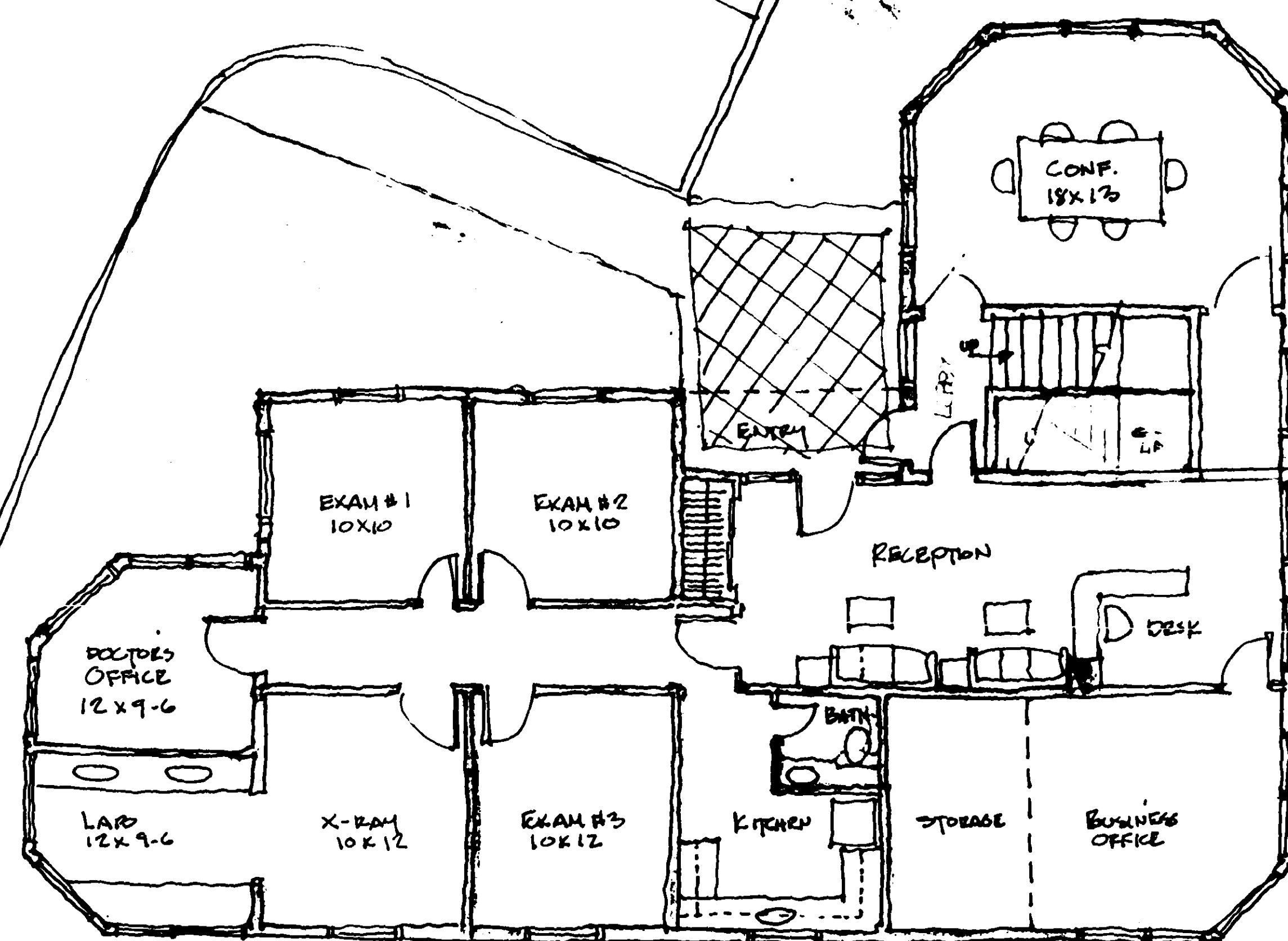
SHEET 1 OF 2

APPLICANTS & DEVELOPERS

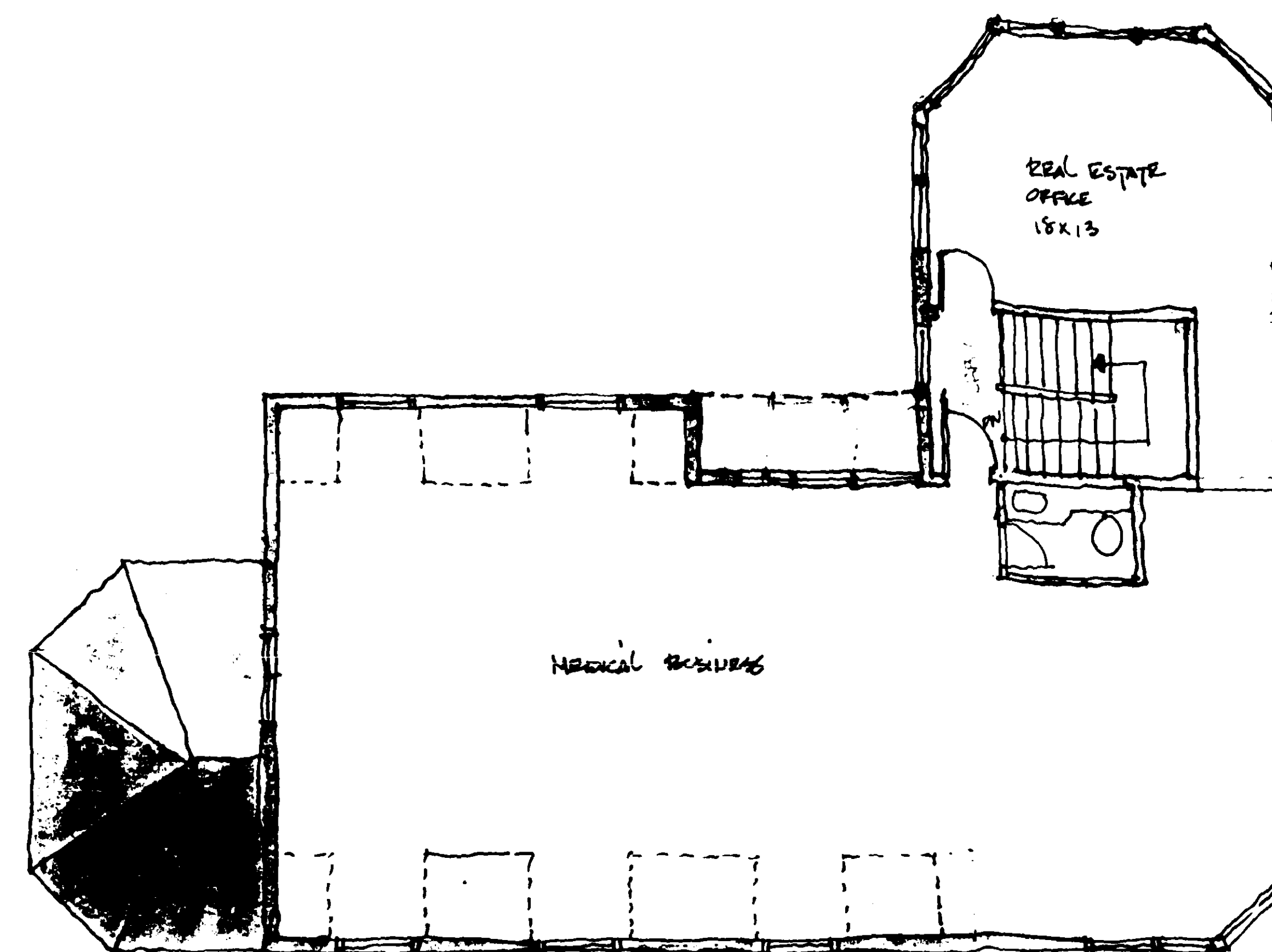
BENJAMIN GEORGE McCLEARY & DR. MARK LAMOS
113 OLD PADONIA ROAD
SUITE 200
COCKEYSVILLE, MD. 21030
(301) 561-9900

ZONING CASE No. 91-374A
DATE OF CRG APPROVAL: MARCH 28, 1991

PUBLIC SERVICES CRG No. 91028 PLANNING No. X-207



FIRST FLOOR
3/16" = 1'-0"
1,680 sq. GROSS (approx.)



SECOND FLOOR
3/16" = 1'-0"
1,340 sq. GROSS (approx.)



WEST ELEVATION (JARRETTSVILLE FILE)
3/16" = 1'-0"

14311 JARRETTSVILLE PIKE
COLUMBIA DESIGN COLLECTIVE
3.22.91



NORTH ELEVATION
3/16" = 1'-0"

CRG PLAN

14311 JARRETTSVILLE PIKE

10TH. ELECTION DISTRICT
SCALE: AS SHOWN

BALTIMORE COUNTY, MD.
DECEMBER 17, 1990

SHEET 2 OF 2

PETITIONER'S
EXHIBIT 2



PETITIONER'S
EXHIBIT 3

91-374A

cpc

14511 JARRETTVILLE PIKE